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PTO/SB/21 (01-03)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/651,828	
	Filing Date	08/28/2003	
	First Named Inventor	ZOLOTUKHIN	
	Art Unit	1632	
	Examiner Name		
Total Number of Pages in This Submission	89	Attorney Docket Number	5853-251

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	AKERMAN SENTERFITT Gregory A. Nelson, Registration No. 30 521
Signature	
Date	8-3-04

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 8/3/04	
Typed or printed	Gregory A. Nelson
Signature	
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This collection of information is required by 37 CFR 1.55. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ZOLOTUKHIN, S.

Application No. 10/651,828

Examiner:

Filed: August 28, 2003

Group Art Unit: 1632

For: MODIFIED AAV

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)**

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Reg. No. 30,577  
Gregory A. Nelson

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. The references were cited in the specification of the present application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant respectfully requests that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

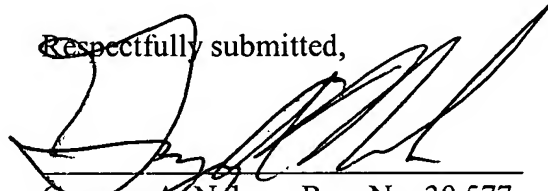
Certification

This Statement is being filed within three months of the filing of this application and/or prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of this certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

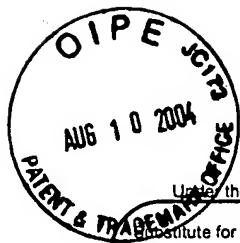
Dated: 8-3-04

Docket No. 5853-251

Respectfully submitted,

  
\_\_\_\_\_

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PTO/SB/088 (02-03)

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Institute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

### Complete if Known

Application Number	10/651,828
Filing Date	08/28/2003
First Named Inventor	ZOLOTUKHIN
Art Unit	1632
Examiner Name	
Attorney Docket Number	5853-251

Sheet

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of

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### OTHER PRIOR ART–NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Wu et al. Adeno-Associated Virus Vector-Mediated Transgene Integration into Neurons and Other Nondiving Cell Targets. Journal of Virology. July 1998, Vol. 72, No. 7, pages 5919-5926.	
		Wu et al. Mutational Analysis of the Adeno-Associated Virus Type 2 (AAV2) Capsid Gene and Construction of AAV2 Vectors with Altered Tropism. Journal of Virology. September 2000, Vol. 74, No. 18, pages 8635-8647.	
		Grifman et al. Incorporation of Tumor-Targeting Peptides into Recombinant Adeno-Associated Virus Capsids. Molecular Therapy. June 2001, Vol. 3, pages 964-975.	
		Girod et al. Genetic Capsid Modifications Allow Efficient Re-Targeting of Adeno-Associated Virus Type-2. Nature Medicine. September 1999, Vol. 5, pages 1052-1056.	
		Xie et al. The Atomic Structure of Adeno-Associated Virus (AAV-2), A Vector for Human Gene Therapy. Proceedings of the National Academy of Sciences. August 2002, Vol. 99, No. 16, pages 10405-10410.	
		Rabinowitz et al. Building a Better Vector: The Manipulation of AAV Virions. Virology. 2000, Vol. 278, pages 301-308.	
		Monahan et al. AAV Vectors: Is Clinical Success on the Horizon? Gene Therapy. 2000, Vol. 7, pages 24-30.	
		He et al., A Simplified System for Generating Recombinant Adenoviruses. Proceedings of the National Academy of Sciences. March 1998, Vol. 95, pages 2509-2514.	
		Xiao et al. Production of High-Titer Recombinant Adeno-Associated Virus Vectors in the Absence of Helper Adenovirus. Journal of Virology. March 1998, Vol. 72, No. 3, pages 2224-2232.	
		Davidson et al. Recombinant Adeno-Associated Virus Type 2, 4 and 5 Vectors: Transduction of Variant Cell Types and Regions in the Mammalian Central Nervous System. Proceedings of the National Academy of Sciences. Vol. 97, No. 7, pages 3428-3432.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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